IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Writ Petition No.4977 of 2006

Smt.Kunda Wd/o. Prabhakar Javkar — Petitioner
Vs.
Group Grampanchayat Dhatav through its Sarpanch & ors. — Respondents

Mr.M.D.Parab i/b. N.Deepak & Co. for petitioner.
Mr.S.M.Oak for respondents.

CORAM: B.H.MARLAPALLE,J.

August 07, 2006.

P.C.

. Heard Mr.Parab, the learned counsel for the petitioner who is aggrieved by the order dated 10/7/2006 passed by the learned Civil Judge, Junior Division at Roha. By the said order the amendment application at Exhibit 87 in Regular Civil Suit No.49 of 2001 has been allowed by the trial Court.

. The trial Court noted that though the Written Statement at Exhibit 61 was filed by the applicant-defendant on 5/9/2005, by the proposed amendments, it was seeking to bring on record the subsequent developments regarding the land acquisition proceedings receiving finality in respect of part of the suit land. It was pointed out that the SDO, Mangaon passed his award dated 15/9/2005

under the Land Acquisition Act, 1894 and on 16/9/2005 an amount of Rs.1,42,201/- was deposited with the Bank of India by demand draft. Consequently the Panchayat received possession of the land on 17/9/2005. The learned Judge of the trial Court held that these amendments were required to be brought on record as they pertained to the developments after the Written Statement at Exhibit 61 was filed on 5/9/2005. The view taken by the trial Court does not suffer from any errors apparent on the face of the record. Hence the petition is rejected summarily. Undoubtedly, the petitioner has liberty to file her reply to the amended Written Statement.

(B.H.MARLAPALLE,J.)